

Best Available Copy

PATENTS
10889-16285

To: Assistant Commissioner for Patents	My Docket No. SLE(U 1844)
Serial/Patent No.	O. S. 34297
Filing date	7/10/02
Inventor(s): <i>John K. Bales</i>	Attorney <i>John K. Bales</i>
Title: <i>System and Method of Monitoring Activity</i>	
Condition of Content of Computer Memory	
The U.S. Patent & Trademark Office stamp herein acknowledges receipt of the following:	
<input type="checkbox"/> Application (Utility or Design)	Total Pages _____
<input type="checkbox"/> Preliminary Amendment	Sheets of Drawings (Figs. _____)
<input type="checkbox"/> Declaration and Power of Attorney	Fee Transmittal Sheet
<input type="checkbox"/> Transmittal Letter	Response to Missing Parts
<input type="checkbox"/> Small Entity Form	Amendment
<input type="checkbox"/> Assignment and Cover Sheet	IDS & Citation in Application Form
<input type="checkbox"/> Response to Office Action	Certified Copy of Priority Document
<input type="checkbox"/> Petition for Extension of Time	Issue Fee Transmittal Form(s)
<input type="checkbox"/> Petition	Check(s) # _____ for \$ _____
<input type="checkbox"/> Certificate of Mailing	Letter to Official Draft Person
<input checked="" type="checkbox"/> Express Mail Certificate Label	Corrected Figures
<input checked="" type="checkbox"/> Other Petition Under 37 CFR 1.10(c)	Request for Refund of Fee
<i>Other Request for Corrected Return Receipt, Notice Regarding Copies of the Transmittal Letter, Notice of Service of Summons, Etc., etc.</i>	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : **Ken KUTARAGI, et al.**

Express
Filed by Express Mail
(Receipt No. 8834-9290-571)
on July 23, 2002
pursuant to 37 C.F.R. § 1.10.
by Patent Office
Patent Office

Serial No : **09/942,977**

Filed : **August 30, 2001**

Title : **METHOD AND SYSTEM FOR.....**

July 23, 2002

Commissioner of Patents
Box DAC
Washington, D.C. 20231

PETITION UNDER 37 C.F.R. § 1.10(c)

SIR:

Applicants filed a Request for Corrected Filing Receipt in the above-referenced application on May 31, 2002, which is attached for reference. Because the requested correction relates to a date of filing governed by an Express Mail procedure, Applicants' should have filed a petition in accordance with 37 C.F.R. § 1.10(c). The present petition is made accordingly.

Upon information and belief, Applicants deposited the above-referenced application with the USPS on August 30, 2001 and received a copy of Express Mail Receipt EL639693967US with a "date in" of August 30, 2001. Upon information and belief, a copy of this receipt was subsequently misplaced or lost by Applicants.

The USPS delivery record attached to the attached request of June 7, 2002 clearly shows that the Express Mail package EL639693967US was received in the United States Patent and Trademark Office on August 31, 2001 at 6:50 A.M. Applicants subsequently received a return post card for the above-referenced application indicating that it had been received in the USPTO on August 31, 2001. Upon information and belief, a true

copy of this post card is attached to this petition. This post card indicates that the application was mailed on August 30, 2001 in Express Mail package EL639693967US. Further, upon information and belief, the Request of June 7, 2002 includes a true copy of the first page of the above-referenced application that includes a stamp also indicating that the application was filed in Express Mail package EL639693967US.

In order for the application to have been received via Express Mail package EL639693967US at the USPTO on August 31, 2001 at 6:50 A.M., it clearly must have been deposited with the USPS no later than August 30, 2001. Accordingly, Applicants respectfully submit that the above-referenced application is therefore entitled to a filing date of August 30, 2001 based on the Express Mail deposit date rather than the actual date of receipt by the USPTO. Applicants petition the Commissioner to accord the application a corrected filing date of August 30, 2001, and to provide Applicants with a corrected filing receipt reflecting this application date.

Any fee, due as a result of this paper may be charged on Deposit Account No. 50-1290.

Respectfully submitted,



Thomas D. Bean
Reg. No. 44,528

Katten Muchin Zavis Rosenman
575 Madison Avenue
New York, NY 10022-2585
(212) 940-8800
Docket No: SCEW 18.970

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : **Ken KUTARAGI, et al.**
Serial No : **09/942,977**
Filed : **August 30, 2001**
Title : **METHOD AND SYSTEM FOR MONITORING.....**

May 31, 2002.

Attn: Customer Corrections Division
Assistant Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR CORRECTED FILING RECEIPT

SIR:

We received the Filing Receipt on the above-referenced case, copy enclosed, wherein the PTO incorrectly listed the **FILING DATE** as **AUGUST 31, 2001**. Please change the same to read: **AUGUST 30, 2001**. As we cannot locate the original Express Mail Receipt (EL639693967US), we enclose herewith a delivery record from the United States Postal Service, showing that the application was received in the United States Patent and Trademark Office on August 31, 2001 at 6:50 A.M. The only way the application could be received at the USPTO on August 31, 2001 at 6:50 A.M. is if it was deposited with the USPS on August 30, 2001. Thus, August 30, 2001 is the proper filing date.

We also enclose a copy of the transmittal sheet and the first page of the specification, showing the Express Mail Item Number.

Any fee, due as a result of this paper may be charged on Deposit Account No. 50-1290.

Respectfully submitted,



Thomas J. Bean
Reg. No. 44,528

Katten Muchin Zavis Rosenman
575 Madison Avenue 15th Floor
New York, New York 10022-2585
(212) 940-8800
Docket No.: SCEW 18.970



UNITED STATES PATENT AND TRADEMARK OFFICE

DECEMBER 19
COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/942,977	08/31/2001 08/30/2001	2651	1290	100809- 16280 (SCEW 18.970	6	17	8

026304
ROSENMAN & COLIN LLP
575 MADISON AVENUE
NEW YORK, NY 10022-2585

CONFIRMATION NO. 7679
UPDATED FILING RECEIPT



OC000000007183934

Date Mailed: 12/12/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Ken Kutaragi, Kanagawa, JAPAN;
Shinichi Okamoto, Tokyo, JAPAN;
Keiso Shimakawa, Kanagawa, JAPAN;
Toyoshi Okada, Tokyo, JAPAN;
Muneki Shimada, Tokyo, JAPAN;
Minoru Hashimoto, Tokyo, JAPAN;

Domestic Priority data as claimed by applicant

Foreign Applications

JAPAN 2000-266154 09/01/2000
JAPAN 2001-261723 08/30/2001

If Required, Foreign Filing License Granted 10/02/2001

Projected Publication Date: 03/21/2002

Non-Publication Request: No

Early Publication Request: No

Title

Method and system for monitoring utilizing condition of contents, computer program and recording medium

Preliminary Class

369

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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**UNITED STATES
POSTAL SERVICE.**

Date: 05/29/2002

Fax Transmission To: BRENDY BELOMY
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Dear BRENDY BELOMY:

The following is in response to your 05/29/2002 request for delivery information on your Express Mail item number EL639693967US. The delivery record shows that this item was delivered on 08/31/2001 at 06:50 AM in WASHINGTON, DC 20231 to M BOSTON. The scanned image of the recipient information is provided below.

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PATENTS 20231

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. SCEW 18.970

First Inventor K. KUTARAGI

Title METHOD AND SYSTEM FOR MONITORING...

Express Mail Label No. EL639693967US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 34]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings *(if filed)*
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 6]
5. Oath or Declaration [Total Pages]
 a. Newly executed (original or copy)
 b. Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)

i. **DELETION OF INVENTOR(S)**
 Signed statement attached deleting inventor(s)
 named in the prior application, see 37 CFR
 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
 Box Patent Application
 Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement Power of Attorney
11. English Translation Document *(if applicable)*
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP)

of prior application No. _____

Prior application information:

Examiner _____

Group Art Unit _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	026304 <i>(Insert Customer No. or Attach bar code label here)</i>	or	<input type="checkbox"/> Correspondence address below
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Name (Print/Type)	Samson Helfgott	Registration No. (Attorney/Agent)	23,072
Signature		Date	08/30/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Filed by Express Mail
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on AUGUST 30, 2001
pursuant to 37 C.F.R. 1.10
by [Signature]

- 1 -

METHOD AND SYSTEM FOR MONITORING UTILIZING CONDITION OF CONTENTS,
COMPUTER PROGRAM AND RECORDING MEDIUM

CROSS-REFERENCE TO RELATED APPLICATIONS

5

This application is based upon and claims the benefit of priorities from the prior Japanese Patent Applications No. 2000-266154 filed on September 1, 2000 and No. 2001-261723 filed on August 30, 2001, the entire contents of both of which are 10 incorporated herein by reference.

BACKGROUND OF THE INVENTION

1. Field of the Invention

15 The present invention relates to a technique for distributing contents which includes, for example, game programs, video signals, image data, sound data, music data, character information or the composition of them.

20 2. Description of the Related Art

Along with the popularization of the internet, distributing contents to numbers of people is becoming easier. Recently, pay services of distributing contents are implemented actively. 25 However, in the wide-area network like the internet to which general public people can access, piracy and interception of contents arises easily, thus security and copyright of contents cannot be fully protected.

Moreover, when the contents is distributed using pay service, 30 it is difficult to set charge fee properly, because it is hard to figure out how much the paid contents is utilized.

Docket No.: SCEW 18.970 Mailed: August 30, 2001
For: METHOD AND SYSTEM FOR MONITORING UTILIZING CONDITION OF
CONTENTS, COMPUTER PROGRAM AND RECORDING MEDIUM

Enclosures:

- Transmittal Sheet (in duplicate) 1-34pgs of spec.
- Fee Transmittal Sheet (in duplicate)
- 6Sheets of Drawings (1-3,4-5,6-7,8)
- Sub-Power of Attorney
- Original Signed Decl.
- Declaration (UNEXECUTED)
- Preliminary Amendment
- Form PTO-1619A&B Assignment
- Cert. Copies of _____ Appln. No. (s) _____
- Small Entity Statement
- Check for \$ _____
- Info. Disc. Statement, PTO-1449, Copy(ies) of _____
- Other _____

J1000 U.S. PTO
09/942977

08/31/01

Filed Via Express Mail No. EL639693967US
Stamp of USPTO

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